



## Protecting Our Workers from Exploitation and Retaliation (POWER) Act

The POWER Act aims to reduce employer abuses by ensuring that workers have a recourse to report unlawful or unfair labor practices. This bill is a critical step forward in helping to create safe and just workplaces by providing temporary protection for immigrant workers who experience retaliation for exercising their rights under existing labor and employment laws.

### The POWER Act:

- **Expands U-Visa Eligibility for Workers Suffering Serious Labor Violations.** Under current law, immigrants who are the victims of certain crimes including domestic violence, rape, abusive sexual contact, abduction, blackmail and felony assault may be eligible for a U-visa. The POWER Act expands eligibility for U-visa relief for workers suffering serious labor violations, who cooperate with local, state, or federal worker protection agencies and who have suffered substantial abuse or harm related to the workplace claim or would face extreme hardship upon removal.
- **Provides Temporary Protection for Victims of Crime and Labor Retaliation.** The bill allows federal, state or local law enforcement officials, labor officials, and worker protection agencies to ask the Department of Homeland Security (DHS) to provide temporary lawful status with employment authorization to workers who have filed a workplace claim or are material witnesses in any pending or anticipated workplace claim.
- **Strengthens Labor Agencies' Investigative Powers.** The bill mandates that when DHS conducts a worksite enforcement action, and (1) there is a labor dispute in progress or (2) the agency received information as a means to retaliate against workers for enforcing their labor rights, DHS must ensure that workers arrested or detained are not deported before the appropriate labor agency is notified and has a chance to interview the workers.
- **Holds Employers Responsible for Labor Law Violations.** The bill provides grounds for a stay of removal in immigration proceedings for three years with employment authorization if workers are pursuing a workplace claim in a local, state, or federal worker protection agency or court. To be eligible for the stay, the workers must agree to work with the government to pursue labor claims against their employer.
- **Removes the Caps on U-visas.** Currently, there is a backlog of almost 240,000 U-visa applicants because only 10,000 visas are available annually. This bill would remove this limitation and expands the time frame for stays of removal while the U-visa petition is pending. It also waives the expensive fees for U-visa applicants.